

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

FILED

AUG 21 2018

Clerk, U.S. District Court
District Of Montana
Missoula

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LEAH D. MORTON,

Defendant,

MOUNTAIN VIEW CARE CENTER,

Garnishee.

CR 11-34-M-DWM

FINAL ORDER
IN GARNISHMENT

Before the Court is the United States' request for entry of a final order in garnishment. (Doc. 88.) A Writ of Garnishment, directed to Garnishee Mountain View Care Center, has been issued and served upon Garnishee. (Doc. 81.) Pursuant to the Writ of Garnishment, Garnishee filed an answer on May 9, 2018, stating that at the time of the service of the writ, it had in its possession, custody, or control personal property belonging to and due to Defendant Leah Morton, and that Morton is employed by Garnishee and earns regular wages from Garnishee.

On May 29, 2018, Morton was notified of her right to a hearing. (Doc. 88 at ¶ 3.) Morton has not requested a hearing to determine exempt property. On July

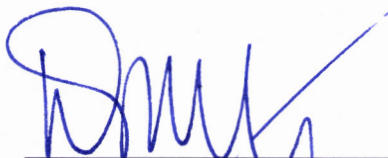
19, 2018, the United States filed its request for entry of a final order in garnishment. (Doc. 88.) No responsive pleading has been filed.

Accordingly, IT IS ORDERED that Garnishee shall pay to the United States the lesser of (a) 25% of Morton's disposable earnings or (b) the amount by which Morton's disposable earnings exceed 30 times the federal minimum hourly wage. "Disposable earnings" are those earnings remaining after deductions of any amount required by law to be withheld, such as social security and withholding taxes. These payments shall be made at the same time Morton is paid and shall continue until the debt to the United States is paid in full or Garnishee no longer has custody, possession, or control of any property belonging to Morton, or until further order of this Court. Payments shall be sent to:

Clerk of Court
201 E. Broadway, Room 370
Missoula, Montana 59802.

IT IS FURTHER ORDERED that any amounts which the garnishee may be holding pursuant to the Writ of Garnishment shall immediately be disbursed to the United States Attorney at the above address.

DATED this 21st day of August, 2018.



Donald W. Molloy, District Judge
United States District Court